

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	CRIMINAL NO. 4:12-CR-0011
	:	
v.	:	(Judge Conner)
	:	
RICKY JEROME SMITH	:	

ORDER

AND NOW, this 23rd day of March, 2012, upon consideration of the motion to bar Judge Conner and Judge Arbuckle from further proceedings in this case and request to overturn all rulings decided by Judge Conner and Judge Arbuckle, and the motion for change of venue to the Chief Judge of the Middle District of Pennsylvania (Doc. 40), filed by *pro se* defendant Ricky Smith (“Smith”), wherein Smith asserts that Judge Arbuckle refused to acknowledge Smith’s visible injuries at his January 20, and January 26, 2012 hearings, (see Doc. 41, at 1-5),¹ and wherein Smith claims that the undersigned has failed to rule on five pretrial motions—requests for medical transfer and private medical examiners, a motion to hold the district attorney in contempt, a motion to dismiss and a motion for pretrial release—thereby irreparably harming Smith’s defense (id. at 6), and the court

¹ The transcripts of the January 20 and January 26, 2012 hearings belie Smith’s assertions. At the January 20, 2012 hearing, at Smith’s request Judge Arbuckle ordered the Marshals to document Smith’s injuries. (Jan. 20, 2012 Hr’g Tr. at 27). During the January 26, 2012 hearing Judge Arbuckle inquired whether Smith’s injuries were photographed as he requested and whether there was any medical reason why the court could not proceed. (Doc. 17, at 6, 8-9). Judge Arbuckle then viewed the photographs and described for the record some of the injuries he observed. (Id. at 9-10). Judge Arbuckle concluded that based upon his physical observation of Smith and the conversation between Smith and the court that Smith was competent to proceed with the hearing. (Id. at 10).

noting that no such motions have been filed in this case, and the court concluding that there is no merit to Smith's contentions concerning Judge Arbuckle and the undersigned, it is hereby ORDERED that the motion (Doc. 40) is DENIED.

S/ Christopher C. Conner
CHRISTOPHER C. CONNER
United States District Judge